

#9/17
C. StipePATENT
ATTORNEY DOCKET NO.: 056291-5077

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

BUTLIN et al.

Appln. No.: 10/069,995

Filed: June 17, 2002

FOR: AMIDES AS INHIBITORS FOR
PYRUVATE DEHYDROGENASE)
)
)
) Group Art Unit: 1614
)
) Examiner: Bernhardt, E.
)
)
)Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop _____
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Date: August 4, 2003

VIA FACSIMILE

Sir:

**RESPONSE TO TELEPHONE RESTRICTION
REQUIREMENT AND PRELIMINARY AMENDMENT**

Pursuant to a telephone restriction requirement from Examiner Bernhardt on July 25, 2003, Applicants hereby elect the invention of Group I, wherein Ring A is piperazinyl. In response to the request for a provisional election of species upon which to commence examination, applicants elect the compound of Example 3:

(R)-[(2S,5R)-2-Methyl-5-methyl-4-(thien-2-ylsulphonyl)-1-(3,3,3-trifluoro-2-hydroxy-2-methylpropionyl)piperazine]

Prior to taking up this application for a first Action on the merits, please amend the above-identified application, without prejudice, as follows: